

LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

for AUGUST 30, 2006 PLANNING COMMISSION MEETING

PROJECT #: Annexation #06014
Change of Zone #06053

Note: This is a combined staff report for related items. This report contains a single background and analysis section for all items.

PROPOSAL: To change the zoning from AG, Agricultural to R-3, Residential and annex 4.67 acres.

LOCATION: N. 14th St. and Pennsylvania Ave.

LAND AREA: 4.67 acres, more or less

CONCLUSION: The annexation and change of zone are in conformance with the comprehensive plan. The area is within the future service limits and is designated urban residential in the land use plan.

<u>RECOMMENDATION:</u>	
Annexation	Approval
Change of Zone	Approval

GENERAL INFORMATION:

LEGAL DESCRIPTION: See attached.

EXISTING ZONING: AG- Agricultural

SURROUNDING LAND USE AND ZONING:

North:	R-3, Residential	Undeveloped
South:	AG, Agricultural	Single family houses on acreages.
East:	AG, Agricultural	Single family houses on acreages.
	R-5, Residential	East of N. 14 th St., undeveloped
West:	R-3, Residential	Undeveloped

EXISTING LAND USE: Undeveloped

COMPREHENSIVE PLAN SPECIFICATIONS:

Annexation #06014
Change of Zone #06053

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The Land Use Map of the 2025 Comprehensive Plan identifies the proposed area as urban residential and is inside the future service limits. (F-23)

The provision of municipal services shall coincide with the jurisdictional boundaries of the City—in short, it is not the intent of the City of Lincoln to extend utility services (most notably, but not necessarily limited to, water and sanitary sewer services) beyond the corporate limits of the City. (F-154)

The extension of water and sanitary sewer services shall be predicated upon annexation of the area by the City. City annexations shall occur before any property is provided with water, sanitary sewer, or other potential City services. (F-154)

Land which is remote or otherwise removed from the limits of the City of Lincoln will not be annexed; land which is contiguous to the City and generally urban in character may be annexed; and land which is engulfed by the City should be annexed. (F-154)

Annexation generally implies the opportunity to access all City services. Voluntary annexation agreements may limit or otherwise outline the phasing, timing or installation of utility services (e.g. water, sanitary sewer) and may include specific or general plans for the private financing of improvements to the infrastructure supporting or contributing to the land uses in the annexed area. (F-154,155)

HISTORY:

- | | |
|------------------|--|
| January 27, 2006 | Final Plat #05081, Hartland's Garden Valley Addition to final plat 40 lots was approved by the Planning Director. |
| August 29, 2005 | Change of Zone #05051 from AG to R-3 & R-5 southeast of N. 14 th & Pennsylvania Ave. was approved by City Council. |
| August 1, 2005 | Change of Zone #04007 from AG to R-3 & R-5 and Annexation #04001 southeast of N. 14 th St & Humphrey was approved by City Council. |
| June 20, 2005 | Annexation #05006, Change of Zone #05024 from AG to R-3 and Special Permit #05015, Hartland's Garden Valley Community Unit Plan for 326 dwelling units was approved by City Council. |
| June 24, 2004 | Stone Bridge Creek 1 st Addition Preliminary Plat #04002 was approved by the Planning Commission. |

ASSOCIATED REQUEST:

Special Permit #05015A, Hartland's Garden Valley CUP

SPECIFIC INFORMATION:

UTILITIES & SERVICES:

- A. **Sanitary Sewer:** The area of application will be served by sanitary sewer from the west
- B. **Water:** The area of application will be served by water from the west.
- C. **Roads:** All roads within the application area shall be local.
- D. **Parks and Trails:** There is a future park located within the development.
- E. **Fire Protection:** The nearest fire station is Station 10 located at N. 14th St. and Adams St.

ANALYSIS:

- 1. This is a request for annexation of 4.67 acres of land at N. 14th St. & Pennsylvania Ave. and a change of zone from AG, Agricultural to R-3, Residential to permit a Community Unit Plan. (see associate request SP #05015A)
- 2. The proposed annexation area is contiguous to the City limits. Stone Bridge Creek subdivision is located in the east side of N. 14th St. and Hartland's Garden Valley subdivision is located to the west of this proposed annexation area.
- 3. The area of annexation is within the future service limits and Tier One Priority A as identified in the 2025 Comprehensive Plan.
- 4. The future land use plan identifies this area as urban residential.
- 5. An annexation agreement is not required for this development. All utilities are available and all roads are local.
- 6. Annexation policy:
 - ! Land which is remote from the limits of the City of Lincoln will not be annexed; land which is contiguous and generally urban in character may be annexed; and land which is engulfed by the City should be annexed.
 - ! Annexation generally implies the opportunity to access all City services. Voluntary annexation agreements may limit or otherwise outline the phasing, timing or installation of utility services (i.e., water, sanitary sewer) and may include specific or general plans for the private

financing of improvements to the infrastructure supporting or contributing to the land uses in the annexed area.

- ! Plans for the provision of services within the areas considered for annexation should be carefully coordinated with the Capital Improvements Program of the city and the county."

Prepared by:

Tom Cajka
Planner

DATE: August 15, 2006

APPLICANT: ESP on behalf of Hartland Homes
601 Old Cheney Rd Suite 'A'
Lincoln, NE 68512

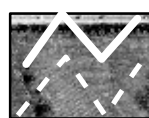
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Annexation #06014 and Change of Zone #06053 N. 14th St. & Humphrey Ave. Zoning:

R-1 to R-8	Residential District
AG	Agricultural District
AGR	Agricultural Residential District
R-C	Residential Conservation District
O-1	Office District
O-2	Suburban Office District
O-3	Office Park District
R-T	Residential Transition District
B-1	Local Business District
B-2	Planned Neighborhood Business District
B-3	Commercial District
B-4	Lincoln Center Business District
B-5	Planned Regional Business District
H-1	Interstate Commercial District
H-2	Highway Business District
H-3	Highway Commercial District
H-4	General Commercial District
I-1	Industrial District
I-2	Industrial Park District
I-3	Employment Center District
P	Public Use District

One Square Mile
Sec. 35 T11N R06E



Zoning Jurisdiction Lines

City Limit Jurisdiction

2005 aerial

Alvo Rd.



Fletcher Av.

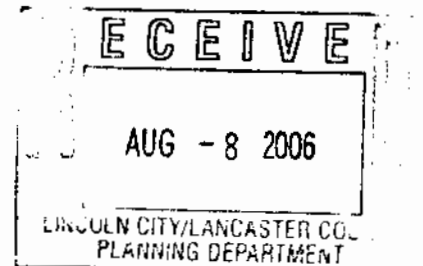
HARTLAND'S GARDEN VALLEY

AREA OF ANNEXATION & CHANGE OF ZONE

LEGAL DESCRIPTION:

Part of Lot 1, Block 4, Garden Valley, Located in the Southeast Quarter of Section 35, Township 11 North, Range 6 East of the 6th. P.M., Lincoln, Lancaster County Nebraska, and more particularly described as follows:

Beginning at the northwest corner of said Lot 1 S 89°51'18" E a distance of 338.32' to the Northeast corner of said part of Lot 1, Block 4; thence S 00°12'48" W a distance of 151.19'; thence S 00°11'45" W a distance of 449.85'; thence N 89°34'03" W a distance of 339.30'; thence along the East line of said Lot 1, N 00°17'39" E a distance of 599.34' to the point of beginning, having an area of 203,337.66 square feet or 4.67 acres, more or less.



HARTLAND'S GARDEN VALLEY

CHANGE OF ZONE FROM 'AG' TO 'R-3'
& ANNEXATION EXHIBIT

